GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – R&S – Vigilance & Enforcement Report – Builders selling flats to customers by showing 20% to 25% excess area against the sanctioned plan – Vigilance cum System Improvement Note – Allegations of Registration of documents by Registering officials – Common disciplinary proceedings under Rule 24 of APCS (CCA) Rules, 1991 – Initiated - Articles of Charge framed against Sri N.Ananda Kumar, former Joint Sub-Registrar, Madhurawada, Visakhapatnam – Orders – Issued.

REVENUE (VIGILANCE – II) DEPARTMENT

G.O.Rt.No.528 **Dated:25-12-2018**

Read :-

G.O.Ms.No.285, Revenue (Vigilance-II) Department, dated 25-04-2019.

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O R D E R :

In continuation of the orders issued under Rule 24 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 in the reference read above, it is considered necessary to hold an enquiry against Sri N.Ananda Kumar, former Joint Sub-Registrar, Madhurawada, Visakhapatnam under Rule 20 of the said rules. The substance of the imputation of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputation of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which the articles of charge are proposed to be sustained are also enclosed (Annexure-III).

2. Sri N.Ananda Kumar, former Joint Sub-Registrar, Madhurawada, Visakhapatnam is directed to submit within ten days of the receipt of this Order a written statement of his defense.

3. Sri N.Ananda Kumar, former Joint Sub-Registrar, Madhurawada, Visakhapatnam is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

4. Sri N.Ananda Kumar, former Joint Sub-Registrar, Madhurawada, Visakhapatnam is further informed that if he does not submit his written statement of defense on or before the date specified in para 2 above, or otherwise fails or refuses to comply with the provisions of Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules the Inquiring Authority may hold the inquiry against him ex-parte.

5. Attention of Sri N.Ananda Kumar, former Joint Sub-Registrar, Madhurawada, Visakhapatnam is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Contd.,2

6. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

To

Sri N.Ananda Kumar, former Joint Sub-Registrar, Madhurawada, Visakhapatnam (Enclosed Annexures I to III) **through** the Director & Inspector General, Registration & Stamps, AP, Vijayawada. (with a request to serve the order on the individual and send the served copy with dated signature to Government)

Copy to

The Secretary to Vigilance Commissioner, AP.Vigilance Commission, Secretariat Building No.5, Velagapudi, Guntur District.

The Director General, Vigilance & Enforcement Department, A.P., NTR Administrative block, P.N.Bus Station, Vijayawada.

The Director & Inspector General, Registration & Stamps, Andhra Pradesh, Eedupugallu, Vijayawada.

The Deputy Inspector General, Registration & Stamps, Visakhapatnam.

The Sub-Registrar, Madhurawada.

The Revenue (Registration-I) Department, A.P.Secretariat, Velgapudi.

SF / SC

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ANNEXURE-I

ARTICLES OF CHARGE FRAMED AGAINST SRI N.ANANDA KUMAR, FORMER JOINT SUB-REGISTRAR, MADHURAWADA, VISAKHAPATNAM.

CHARGE-I:

Sri N.Ananda Kumar, former Joint Sub-Registrar, Madhurawada, Visakhapatnam while working in the said post had executed the Flats sale deeds though the document is not accompanied by a copy / copies of any map or plan which it should have been contained in violation of the provisions of Section 21 (4) of the Registration Act, 1908 & rules thereunder and without adhering to the instructions issued in Rule 26 (h) of G.O.Ms.No.168 MA & UD, dated 07-04-2012 and Rule 21 (vi) of G.O.Ms.No.678, dated 07-09-2007 of MA & UD Department.

CHARGE-II:

Sri N.Ananda Kumar, former Joint Sub-Registrar, Madhurawada, Visakhapatnam entertained registration of Flats sale deeds without obtaining the completion certificate and fitness certificate for occupation (NOC) from the concerned local authority in violation of Rule 3 of Andhra Pradesh Apartment Act.

Thus, Sri N.Ananda Kumar, former Joint Sub-Registrar, Madhurawada, Visakhapatnam by his above mentioned acts, exhibited lack of integrity, devotion to duty and conduct, unbecoming of a Member of Service and thereby contravened Rule 3 (1) (2) & (5) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

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ANNEXURE-II

STATEMENT OF IMPUTATION OF MISCONDUCT OR MISBEHAVIOR IN SUPPORT OF ARTICLES OF CHARGE FRAMED AGAINST SRI N.ANANDA KUMAR, FORMER JOINT SUB-REGISTRAR, MADHURAWADA, VISAKHAPATNAM.

The Vigilance & Enforcement Department has conducted enquiry on the allegations that the builders are selling flats to customers by showing 20% to 25% excess area against the sanctioned plan in Visakhapatnam & Kurnool Municipalities and reported certain irregularities in registration of documents relating to the properties that comes within the ambit of Andhra Pradesh Apartments Act violating the orders / provisions issued in G.O.Ms.No.168 MA & UD, dated 07-04-2012, Rule 3 of Andha Pradesh Apartment Act and Rule 21(4) of the Registration Act, 1908. On perusal of the findings of the above said report of the Vigilance & Enforcement Department, the under signed noticed that Sri N.Ananda Kumar, former Joint Sub-Registrar, Madhurawada, Visakhapatnam has entertained registration of Flats sale deeds relating to the properties comes within the ambit of Andhra Pradesh Apartments Act violating the orders / provisions issued in G.O.Ms.No.168 MA &UD, dated 07-04-2012, Rule 3 of Andhra Pradesh Apartment Act and Rule 21 (4) of the Registration Act, 1908.

2. Sri N.Ananda Kumar, former Joint Sub-Registrar, Madhurawada, Visakhapatnam entertained registration of Flat sale deeds without adhering to the instructions issued in Rule 26 (h) of G.O.Ms.No.168 MA & UD, dated 07-04-2012 and Rule 21 (vi) of G.O.Ms.No.678, dated 07-09-2007 of MA & UD Department and registered the above mentioned document which consists of more than the permitted built up area as per sanctioned building plan.

3. Sri N.Ananda Kumar, former Joint Sub-Registrar, Madhurawada, Visakhapatnam has entertained registration of Flats sale deeds though the documents are not accompanied by a copy / copies of any map or plan which it should contain in violation of the provisions of Section 21 (4) of the Registration Act, 1908.

4. Sri N.Ananda Kumar, former Joint Sub-Registrar, Madhurawada, Visakhapatnam has entertained registration of Flats sale deeds without obtaining the completion certificate and fitness certificate for occupation obtained from the concerned local authority in violation of Rule 3 of Andhra Pradesh Apartment Act.

Hence, Sri N.Ananda Kumar, former Joint Sub-Registrar, Madhurawada, Visakhapatnam has committed grave misconduct in discharging duties and violated the instructions of the higher authorities.

Thus, Sri N.Ananda Kumar, former Joint Sub-Registrar, Madhurawada, Visakhapatnam, by his above mentioned acts, exhibited lack of integrity, devotion to duty and conduct unbecoming of a Member of Service and thereby contravened Rule 3 (1) (2) & (5) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

The Member of Service has, therefore, rendered himself liable for regular departmental action.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

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ANNEXURE-III

LIST OF DOCUMENTS

LIST OF DOCUMENTS BY WHICH ARTICLES OF CHARGE FRAMED AGAINST SRI N.ANANDA KUMAR, FORMER JOINT SUB REGISTRAR, MADHURAWADA, VISAKHAPATNAM REGISTRATION DISTRICT ARE PROPOSED TO BE SUSTAINED

1. Vigilance cum System Improvement Note No.118 (C.No.4562/V&E/D1/2013), dated 29-12-2017 received from the General Administration (Vigilance & Enforcement) Department.
2. Rule 26 (h) of G.O.Ms.No.168 MA & UD, Dt.07-04-2012.
3. Rule 21 (vi) of G.O.Ms.No.678, dt.07-09-2007 of MA & UD Dept.
4. Section 21 (4) of the Registration Act, 1908.
5. If any document found necessary will be produced at the of time enquiry.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

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ANNEXURE-IV

LIST OF WITNESSES

LIST OF WITNESSES BY WHICH ARTICLES OF CHARGE FRAMED AGAINST SRI N.ANANDA KUMAR, FORMER JOINT SUB REGISTRAR, MADHURAWADA, VISAKHAPATNAM REGISTRATION DISTRICT ARE PROPOSED TO BE SUSTAINED

--Nil--

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

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